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LEE & HAYES PLLC			PAULA, CESAR B	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhpto@lechayes.com

Office Action Summary	Application No.	Applicant(s)
	09/847,038	MURREN ET AL.
	Examiner CESAR B. PAULA	Art Unit 2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(o).

Status

1) Responsive to communication(s) filed on 06 December 2007.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-5,7-10,12,14-27,29,30 and 34-37 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-5,7-10,12,14-27,29,30 and 34 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO/GS/06)
 Paper No(s)/Mail Date 12/07 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____
 5) Notice of Informal Patent Application
 6) Other: _____

DETAILED ACTION

1. This action is responsive to the amendment filed on 12/6/2007.

This action is made Final.

2. In the amendment, claims 1-5, 7-10, 12, 14-27, 29, 30, and 34-37 are pending in the case. Claims 1, 10, 20, 26, 34, and 36 are independent claims.

Drawings

3. The drawings filed on 4/30/2001 have been approved by the examiner.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 20-27, 29, 30, and 34-37 remain rejected under 35 U.S.C. 102(e) as being anticipated by Hitchcock et al, hereinafter Hitchcock (Pat.# 6,345,278 B1, 2/5/2002, filed on 6/3/1999).

Regarding independent claim 20, Hitchcock teaches creating a form in accordance to an institution's request, such as using template files. Attributes are utilized for automatically adding form fields—*preprogrammed data input fields*— to an application(s) for requesting information chosen by the institution—*determining one or more attributes that are used by the business logic but not obtained by the business logic elsewhere* other than the form definition, and using after determining the one or more attributes... (col. 6, lines 3-11, col.7, lines 29-60, col.8, lines 60-col.9, line 20, col.15, lines 27-46, and col.21, lines 1-67).

Further, Hitchcock discloses checking the information submitted by the user on the form—*preprogrammed request*—, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data—*the determining is based at least in part on one or more interactions associated with the business logic* (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27). The form requesting a review of the information included therein, is coded using a format such as HTML code—*each of the one or more processing interactions being associated with a request to be processed by the business logic and including, one or more command definitions to process the request*;

Furthermore, Hitchcock discloses replacing directives with appropriate validation code in html for validating the form fields—*including validation code in the form definition associated with the defined one or more fields*— (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27).

Regarding claim 21, which depends on claim 20, Hitchcock discloses checking the information submitted by the user on the form, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27).

Regarding claim 22, which depends on claim 20, Hitchcock discloses checking the information submitted by the user on the form to a database, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data. A second stage validation is performed when the form is submitted to an institution (col.14, lines 48-col.15, line 67).

Regarding claim 23, which depends on claim 20, Hitchcock discloses checking the information submitted by the user on the form to a database, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data. A second stage validation is performed when the form is submitted to an institution —*identification of additional restrictions and receiving from the business logic, the identification of the additional restrictions--* (col.14, lines 48-col.15, line 67).

Claims 24-25 are directed towards a computer program product on a computer-readable medium for storing computer-executable instructions for performing the steps found in claim 22, and therefore is similarly rejected.

Regarding independent claim 26, Hitchcock teaches creating a form in accordance to an institution's request, such as using template files. Attributes are utilized for automatically adding form fields to an application(s) for requesting information chosen by the institution (col. 6, lines 3-11, col.7, lines 29-60, col.8, lines 60-col.9, line 20, col.15, lines 27-46, and col.21, lines 1-67).

Further, Hitchcock discloses replacing directives with appropriate validation code in html for validating the form fields—*validation code from the tag library to verify that a subsequent input to the data field satisfies the one or more automatically identified pre-programmed restrictions* (col.10, lines 40-col.12, line29, col.14, lines49-col.15, line 27). In other words, the html code associated with the validation information for the form fields, is retrieved from a file source, such as a data structure—*tag library*--.

Furthermore, Hitchcock discloses checking the information submitted by the user on the form—*request*--, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data—*identifying one or more processing interactions associated with a business logic, wherein the business logic processes requests subsequently submitted via the generated form; identifying in the one or more pre-programmed interactions one or more attributes that are not obtained elsewhere*, but the form (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27). The form requesting a review of the information included therein, is coded using a format such as HTML code-- *and wherein each interaction is associated with a request and includes one or more command definitions to process the request*;

Regarding claim 27, which depends on claim 26, Hitchcock discloses checking the information submitted by the user on the form, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27)—*automatically identify pre-programmed restrictions, and include in the form definition, the validation code to verify that the subsequent input to the data field.*

Regarding claim 29, which depends on claim 26, Hitchcock discloses checking the information submitted by the user on the form to a database, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data. A second stage validation is performed when the form is submitted to an institution (col.14, lines 48-col.15, line 67)—*identifying one or more interactions associated with the business logic, identifying in the one or more processing interactions one or more attributes that are not obtained elsewhere, additional data input fields to be included in the form based at least in part on the identification of the one or more attributes not obtained by one or more processing interactions elsewhere.*

Regarding claim 30, which depends on claim 34, Hitchcock discloses checking the information submitted by the user on the form to a database, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data (col.14, lines 48-col.15, line 27).

Regarding independent claim 34, Hitchcock discloses a forms engine—*form processing module*— for replacing directives with appropriate validation code, found in a data structure, in html for validating the form fields—*validation code from the tag library to verify that a subsequent input to the data field satisfies the one or more automatically identified pre-programmed restrictions — pre-programmed restrictions in a form definition for the form*— (col.10, lines 40-col.12, line29, col.14, lines49-col.15, line 27).

Regarding claim 35, which depends on claim 34, Hitchcock discloses checking the information submitted by the user on the form to a database, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data (col.14, lines 48-col.15, line 27).

Regarding independent claim 36, Hitchcock teaches a forms engine—*form processing module*— for creating a form in accordance to an institution's request, such as using template files. Attributes are utilized for automatically adding form fields to an application(s) for requesting information chosen by the institution (col. 6, lines 3-11, col.7, lines 29-38, 60-67, col.8, lines 60-col.9, line 20, col.15, lines 27-46, and col.21, lines 1-67).

Furthermore, Hitchcock discloses checking the information submitted by the user on the form to a database—*attributes that are not obtained by the one or more pre-programmed interaction elsewhere*, but the form, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data—*indicating that the one or more identified attributes are to be obtained via a data input field on*

a form, and further indicating that an input for the data input field is needed when submitting the form (col.11, lines 45-col.12, line29,col.14, lines 48-col.15, line 27). The form requesting a review of the information included therein, is coded using a format such as HTML code--
includes one or more command definitions for the business logic to process the request;

Regarding claim 37, which depends on claim 36, Hitchcock discloses checking the information submitted by the user on the form to a database—*attributes that are not obtained by the one or more interaction elsewhere*, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data (col.14, lines 48-col.15, line 27).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-5, 7-10, 12, and 14-19 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Hitchcock as applied to claim 1 above, and further in view of Bernardo et al (USPat. 6684369, 1/27/2004, filed on 6/19/1998).

Regarding independent claim 1, Hitchcock teaches creating a form in accordance to an institution's request. Attributes are utilized for automatically adding form fields—*preprogrammed request for the business logic*—to an application(s) for requesting information chosen by the institution—*receiving an indication of a desired form to be generated for data input; automatically identifying one or more preprogrammed data input fields to be included on the desired form, and generating, after automatically identifying the one or more data input fields, a form definition including the automatically identified data input fields*—(col. 6, lines 3-11, col.7, lines 29-60, col.8, lines 60-col.9, line 20, col.11, lines 45-col.12, line29, col.15, lines 27-46, and col.21, lines 1-67).

Furthermore, Hitchcock discloses checking the information submitted by the user on the form—*request*—, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data—*identifying one or more interactions associated with a business logic, wherein the business logic processes requests subsequently submitted via the form. identifying in the one or more interactions one or more attributes that are not obtained elsewhere*, but the form (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27). The form requesting a review of the information included therein, is coded using a format such as HTML code—*and wherein each interaction is associated with a request and includes one or more command definitions to process the request*; Hitchcock fails to explicitly disclose *requests subsequently submitted via a form resulting from the desired form*. However, Bernardo teaches using a web form for producing input forms to submit information to a website (col. 23, line 48-col. 24, line 31, fig. 26, 28). It would have been obvious to one of ordinary skill in the art at the time of the invention

to use a form to create another form to be used for submitting data by combining the submission of data via forms as taught by Hitchcock, and the use of form templates to create other web documents, such as forms disclosed by Bernardo, because of all the reasons found in Bernardo including eliminating the need for a website creator to know or use HTML or other programming languages to create a website (col.2, lines 30-67). This method facilitates the effort, and speeds up and time that it takes to create webpage application used to generate the application used for submitting the requests.

Regarding claim 2, which depends on claim 1, Hitchcock discloses an XML parser for generating applications of form elements including validation rule elements for validating data associated with the form elements—*automatically identifying for each of the one or more pre-programmed input fields, one or more restrictions* (col.21, lines 30-67).

Regarding claim 3, which depends on claim 2, Hitchcock discloses an XML parser for generating applications of form elements including validation rule elements for validating data associated with the form elements—*automatically identifying for each of the one or more input fields, one or more restrictions* (col.11, lines 45-col.12, line29, col.21, lines 30-67). In other words, the processor requests the data for the display of the fields from a forms engine—*requesting and receiving the one or more restrictions from a business logic, which subsequently processes requests submitted via the form.*

Regarding claim 4, which depends on claim 2, Hitchcock discloses checking the

information submitted by the user on the form, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data—*identifying one or more interactions associated with the business logic, identifying in the one or more interactions one or more attributes that are not obtained elsewhere* (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27).

Regarding claim 5, which depends on claim 1, Hitchcock discloses checking the information submitted by the user on the form, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data—*requesting and receiving the one or more pre-programmed input fields from a business logic, which subsequently processes requests submitted via the form* (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27).

Regarding claim 7, which depends on claim 1, Hitchcock discloses checking the information submitted by the user on the form, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data (col.11, lines 1-col.12, line29, col.14, lines49-col.15, line 27).

Regarding claim 8, which depends on claim 1, Hitchcock discloses checking the information submitted by the user on the form, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing

data —communicating with a business logic to identify one or more pre-programmed data input fields (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27).

Regarding claim 9, which depends on claim 8, Hitchcock discloses checking the information submitted by the user on the form, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data—*a plurality of interactions to process requests, comprising an identification of one of the plurality of interactions* or data input into the fields (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27).

Regarding independent claim 10, Hitchcock teaches a forms engine for creating an html form in accordance to an institution's request, such as using template files. Attributes are utilized for automatically adding form validation code to an application(s) for requesting information chosen by the institution—*automatically identifying one or more pre-programmed restrictions associated with a data input field; and using, after automatically identifying the one or more restrictions the one or more restrictions and the field to generate a text markup language form definition.--* (col. 6, lines 3-11, col.7, lines 29-60, col.11, lines 1-col.12, line29, and col.21, lines 1-67).

Furthermore, Hitchcock discloses checking the information submitted by the user on the form—*request--*, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data—*communicating with a business logic to identify the one or more pre-programmed restrictions,*

wherein the business logic processes requests which are subsequently submitted via a generated form, the communicating including identifying one or more interactions associated with the business logic, and identifying, in the one or more interactions, one or more attributes that are not obtained by the one or more interactions elsewhere, but the form; (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27). The form requesting a review of the information included therein, is coded using a format such as HTML code-- and wherein each processing interaction is associated with a request and includes one or more command definitions to process the request; Hitchcock fails to explicitly disclose requests which are subsequently submitted via a generated form, and for use with the generated form. However, Bernardo teaches using a web form for producing input forms to submit information to a website (col. 23, line 48-col. 24, line 31, fig. 26, 28). It would have been obvious to one of ordinary skill in the art at the time of the invention to have generated a form to be used for submitting data by combining the submission of data via forms as taught by Hitchcock, and the use of form templates to create other web documents, such as forms disclosed by Bernardo,, because of all the reasons found in Bernardo including eliminating the need for a website creator to know or use HTML or other programming languages to create a website (col.2, lines 30-67). This method facilitates the effort, and speeds up and time that it takes to create webpage application used to generate the application used for submitting the requests.

Regarding claim 12, which depends on claim 11, Hitchcock discloses checking the information submitted by the user on the form, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the

missing data—*requesting, and receiving from the business logic an identification of the one or more pre-programmed restrictions* (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27).

Regarding claim 14, which depends on claim 10, Hitchcock teaches a forms engine for creating an html form in accordance to an institution's request, such as using template files. Attributes are utilized for automatically adding form validation code to an application(s) for requesting information chosen by the institution—*automatically identifying the data input field to be included in the text markup language form--* (col. 6, lines 3-11, col.7, lines 29-38, 60-67, col.11, lines 1-col.12, line29, and col.21, lines 1-67).

Regarding claim 15, which depends on claim 14, Hitchcock discloses checking the information submitted by the user on the form, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27).

Regarding claim 16, which depends on claim 14, Hitchcock discloses checking the information submitted by the user on the form—*identifying in the one or more processing interactions one or more attributes that are not obtained elsewhere*, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27).

Regarding claim 17, which depends on claim 14, Hitchcock discloses checking

the information submitted by the user on the form, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data —*automatically identifying that a data input to the automatically identified data input field is required when submitting the form* (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27).

Regarding claim 18, which depends on claim 10, Hitchcock discloses checking the information submitted by the user on the form fields, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27).

Regarding claim 19, which depends on claim 10, Hitchcock discloses checking the information, such as text, submitted by the user on the form fields, against requirements of the institution. If the data submitted does not meet the criteria, the form is returned to the user for providing the missing data (col.11, lines 45-col.12, line29, col.14, lines49-col.15, line 27).

Response to Arguments

8. Applicant's arguments with respect to claims 1-5, 7-10, 12, 14-27, 29, 30, and 34-37, have been considered but are not persuasive. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed

invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the Applicant remarks that there is no rationale to combine the references used in the rejections (pages 12-14). The Examiner disagrees, because although Hitchcock fails to teach the creation of a form through the use of another form, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a form to create another form to be used for submitting data by combining the submission of data via forms as taught by Hitchcock, and the use of form templates to create other web documents, such as forms disclosed by Bernardo, because of all the reasons found in Bernardo including eliminating the need for a website creator to know or use HTML or other programming languages to create a website (col.2, lines 30-67). One of ordinary skill in the art would be motivated to use Bernardo's webpage creation system, because this would facilitate the form creation effort, and speed up and time that it takes to create webpage application used to generate the application used for submitting the requests.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning ('piecemealing' Bernardo, and Hitchcock, page 15), it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). Bernardo teaches a system

that would speed up and increase the efficiency with which the forms used by Hitchcock are generated.

Moreover, the Applicant states that the references fail to teach or suggest the generation of a form definition including automatically identified input fields (page 16, parag.2). The Examiner disagrees, because Hitchcock teaches creating a form in accordance to an institution's request. Attributes are utilized for automatically adding form fields—*preprogrammed request for the business logic*—to an application(s) for requesting information chosen by the institution—*receiving an indication of a desired form to be generated for data input; automatically identifying one or more preprogrammed data input fields to be included on the desired form, and generating, after automatically identifying the one or more data input fields, a form definition including the automatically identified data input fields*—(col. 6, lines 3-11, col.7, lines 29-60, col.8, lines 60-col.9, line 20, col.11, lines 45-col.12, line29, col.15, lines 27-46, and col.21, lines 1-67). In other words, the institution indicates what are its preferences, and based upon those preferences, a customized form is generated containing fields, such as using radio buttons vs. a pull-down menu to input choices to fill out the form application(col.7, lines 50-60), that meet the institution's preset criteria.

Regarding claim 2, the Applicant indicates that Hitchcock teachings are misplaced as the claim recites xml tags defining the appearance of text within the tags, and not restrictions data subsequently input via a field (page (17, parag.3). The Examiner also disagrees in this instance, since Hitchcock teaches using validation rules to associate with, and apply to the form fields form based on the data input into the form (col.21, lines 30-67)

Regarding claims 3, 5-10, 12, and 14-19, the Applicant indicates that Hitchcock fails to identify one or more restrictions for each of the fields (page (17, parag.3-page20). As indicated above, Hitchcock teaches using validation rules to associate with, and apply to the form fields form based on the data input into the form (col.21, lines 30-67). In other words, the rules are tied to the form fields themselves.

Regarding claims 20-27, 29-30, and 34-37, the Applicant is directed towards the reasons explained above regarding the respective claims.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

I. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is (571) 272-4128. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (571) 272-4124. However, in such a case, please allow at least one business day.

Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://portal.uspto.gov/external/portal/pair>. Should you have any questions about access to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866 217-9197 (toll-free).

Any response to this Action should be mailed to:
Commissioner for Patents
P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

- **(703) 703-872-9306, {(571)-273-8300 as of July 15, 2005} (for all Formal communications intended for entry)**

/CESAR B PAULA/
Primary Examiner,
Art Unit 2178
3/6/2008